

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Instead Sciences, Inc.,

Plaintiff,

v.

ReProtect, Inc., Ultrafem Inc., Dr. Richard Cone,
Dr. Kevin Whaley and Dr. Thomas Moench,

Defendants.
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DATE FILED: 8/6/08

Civil Action No.
08 CV 5236 (DC)

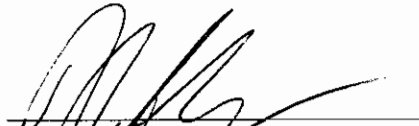
**STIPULATION AND ORDER EXTENDING TIME FOR BRIEFING
DEFENDANTS' MOTION TO DISMISS THE COMPLAINT**

It is hereby stipulated and agreed, by and among Plaintiff, Instead Sciences, Inc., and Defendants ReProtect, Inc., Dr. Richard Cone and Dr. Thomas Moench (collectively, the "Stipulating Defendants") that:

1. Plaintiff shall have up to and including August 28, 2008 to file its papers in opposition to the Stipulating Defendants' 12(b)(6) Motion to Dismiss the Complaint; and
2. The Stipulating Defendants shall have up to and including September 15, 2008 to file any reply papers thereto.

So ordered.

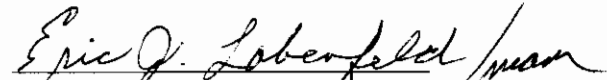
Harris
August 6, 2008


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Attorneys for Defendants
ReProtect, Inc., Dr. Richard Cone,
and Dr. Thomas Moench

SO ORDERED, this _____ day of _____, 2008.

Honorable Denise L. Cote
United States District Judge